IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGHARH

(1) **CR No.816 of 1994 (O&M)**

Rati Ram **....Petitioner**

versus

Hari Singh **....Respondent**

(2) **CR No.950 of 1994 (O&M)**

Rati Ram **...Petitioner**

versus

Tej Singh **...Respondent**

Date of decision: 04.07.2014

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. B.R. Gupta, Advocate
for the petitioner.

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RAKESH KUMAR JAIN, J. (Oral)

This order shall dispose of two revision petitions i.e. C.R. Nos.816 and 950 of 1994.

Both the aforesaid revision petitions were dismissed for non-prosecution on 02.07.2003. Now the petitioner has filed three applications; first under Section 5 of the Limitation Act, 1963 for condonation of delay in filing the restoration application; second under Order 9 Rule 4 read with Section 151 CPC for recalling the order dated 02.07.2003 and third under Order 22 Rule 3, read with Section 151 CPC for impleading the legal heirs of deceased Rati Ram, who died on 08.11.2005.

Counsel for the petitioner submits that after the case is restored, his application for bringing the legal heirs of Rati Ram on record may be allowed. However, at the same time, it is submitted that he would not

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press the revision petitions on merits because of the meager amount is involved.

In view thereof, without issuing notice to the respondent, the applications for condonation of delay in filing the restoration applications and applications for restoration are hereby allowed. Revision petitions are hereby restored to its original number. Applications for impleading the LRs are also allowed and the persons mentioned therein are permitted to be impleaded as LRs of deceased petitioner, subject to all just exceptions and for the limited purpose of these petitions only.

Both the revision petitions are hereby dismissed as not pressed, in view of the statement made by learned counsel for the petitioner.

July 04, 2014 **(RAKESH KUMAR JAIN)**
Jyoti 1 **JUDGE**

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